

REMARKS

This is in response to the Notice of Non-Compliant Amendment dated December 22, 2008. The Office asserted that Applicant's September 18, 2008 reply to the Office Action of June 6, 2008 was not fully responsive due to an apparent omission of an election of a species to be examined in relation to then-newly added Claims 8-11. Applicant appreciatively acknowledges the Examiner's indication that the reply was *bona fide*, and extending the time period for reply to avoid abandonment.

As set forth in Applicant's March 21, 2008 response to the Restriction Requirement of February 5, 2008, Applicant elects Species C represented by Figure 5, which illustrates a method of allowing a customer to place a wager on gaming action with a merchant through an electronic transaction. Applicant respectfully submits that Claims 8-11 are likewise directed to a method of purchasing gaming action with an escrow management structure and fall within previously elected Species C, not unelected Species A or B.

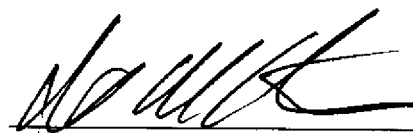
Applicant submits that all of the issues raised on the December 22, 2008 Office Action have now been addressed, and requests favorable reconsideration and allowance of pending Claims 1-4 and 8-11 per Applicant's earlier response.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: January 21, 2009

By:



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